

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

IN RE: James L. White) CASE NO: 05-81800 CH-13
Mary L. White)
)
DEBTORS)

MOTION FOR A HARDSHIP DISCHARGE

The Debtors, by their counsel hereby applies for a hardship discharge pursuant to 11 U.S.C. § 1328(b). In support of this application they avert that:

1. This Chapter 13 plan was filed on June 23, 2005.
2. The Debtors' Chapter 13 plan was confirmed on August 6, 2005.
3. Since that date the Debtors have made payments in the amount of \$73,875.72 to the trustee.
4. The value, as of the effective date of the plan, of the amounts distributed to the unsecured creditors under the plan has not been less than the amounts which those creditors would have been paid on their claims had the estate of the Debtors been liquidated under Chapter 7 on that date.
5. Subsequent to the filing of the Chapter 13 plan, the debtors' plan has run over the 60- month limitation period.
6. The debtors' total combined net income remains at \$1706.06 per month. The debtors' monthly expenses also remain at \$618.00 per month.
7. No modification of the plan is practicable since the debtors plan has run over the 60- month limitation period.

WHEREFORE, the Debtors pray that this Court grant them a discharge pursuant to 11 U.S.C. § 1328(b).

DATED: June 16, 2011

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